

## Basic questions and answers

*The "Vessel Discharge Report" contains a proposed plan, which the DEP was required by law to develop and submit to the Natural Resource Committee of the Maine Legislature. The DEP was asked to develop a plan for prohibiting or regulating blackwater (sewage) and graywater discharges from vessels. The report also was to address some additional issues. In some cases the DEP's review resulted in a recommendation of no change.*

*The questions and answers below are intended for purposes of helping readers to understand who the plan might affect, and in what way, if the plan were implemented as proposed. The changes suggested in the plan, other changes, or no changes may occur. The report has not yet been considered by the Legislature, and does not in itself create new requirements.*

### **1. Why are discharges from commercial vessels a problem?**

Commercial vessel traffic in Maine's ports is increasing, and because these vessels are often large, with big engines, big ballast tanks, and sometimes lots of passengers, they have the potential to release large amounts of pollution to the state's environment. Vessels have not been required to meet the same standards as similar land-based facilities in regards to discharges to waters of the State.

### **2. What are the significant existing requirements for discharges from vessels?**

- Blackwater (sewage). All vessels with installed toilets must have a marine sanitation device (MSD) that meets federal requirements. Vessels may not discharge blackwater within 3 miles of the coast, unless the blackwater is treated by a MSD. On-board holding tanks for blackwater may only be pumped out at land-side pumpout stations or more than 3 miles off shore.
- Graywater (sink and shower wastewater). Graywater is not regulated at this time.
- Oil. The discharge of oil is regulated at both the state and federal level.
- Solid and hazardous waste. Maine law prohibits the discharge of solid and hazardous waste.

### **3. What is a federal "No Discharge Zone" (or "no discharge area")? What and who does it apply to? Do other states have them?**

- A federal "No Discharge Zone" or "NDZ" is an area where vessels with installed heads are not allowed to discharge treated or untreated blackwater (sewage).
- No Discharge Zones apply to all boats, including pleasure boats, house boats, commercial passenger vessels of all sizes, barges, tugs, and ferries. They do not affect dischargers on land, such as municipal treatment systems. Land-based dischargers are regulated under the Maine Wastewater Discharge Law.
- A state may apply to the federal Environmental Protection Agency (EPA) for designation of an area of its coast as an NDZ. This option has been available for many years.
- Many other states have No Discharge Zones. All of Rhode Island's coast is a No Discharge Zone as is Buzzard's Bay in Massachusetts, and all the inland waters in Maine and New Hampshire. For a list of NDZs in other states, see:

[http://www.epa.gov/owow/oceans/regulatory/vessel\\_sewage/vsdnozone.html](http://www.epa.gov/owow/oceans/regulatory/vessel_sewage/vsdnozone.html)

### **4. Does Maine have any NDZs or have any plans to apply for NDZ designations? Does anything in the report change the status quo on NDZs?**

Maine currently does not have any NDZs. A law passed in 2000 (LD 1999, ch. 655) required the DEP to:

- By 1/2004, recommend coastal areas that should be NDZs; and
- By 1/2005, apply to the federal Environmental Protection Agency for designation of NDZs in Maine's coastal waters.

The Vessel Discharge Report suggests that Ch. 655 be amended to allow the DEP to recommend additional NDZs after January 2004. This would allow some additional time for the installation of pump-out facilities in certain areas. The DEP needs to be able to demonstrate that adequate pump-out facilities are available, when applying to EPA for an NDZ.

**5. How would the plan affect small recreational boats?**

The proposed plan does not affect small recreational boats.

However, if No Discharge Zones (NDZs) are eventually created in Maine, all vessels (with installed toilets) within an NDZ would be required to hold their blackwater (sewage) in holding tanks and dispose of it properly, rather than discharging it within the NDZ. An area designated as a NDZs must have adequate pumpout stations to serve the recreational boating community before an NDZ is designated. If you do not know where your local pumpout stations are, please contact the DEP (Pam Parker, 287-7904, [pamela.d.parker@maine.gov](mailto:pamela.d.parker@maine.gov)). A recreational boat's graywater (sink and shower water) may be discharged in a NDZ.

**6. Does this mean I won't be able to wash my boat anymore, because the washwater can't go in the ocean?**

The plan, if adopted, would not affect your ability to wash your boat. The DEP recommends using the least amount of non-toxic and biodegradable soap needed to do the job. Scrubbing the bottom while in the water, or power washing the bottom where the water can run back into the water, should be avoided.

**7. How would the plan affect fishing vessels?**

The proposed plan does not affect fishing vessels.

However, if No Discharge Zones (NDZs) are eventually created in Maine, then all vessels with installed toilets within a NDZ, including fishing vessels, would be required to hold their blackwater (sewage) in holding tanks and dispose of it properly rather than discharging it within the NDZ.

- If the boat does not have an installed toilet, this restriction does not apply.
- A fishing vessel (or recreational vessel) may discharge its blackwater (treated or untreated) more than 3 miles out from the Maine coast, under federal law at this time.
- If it is rigged to do it, and most are not, the fishing vessel may hold its blackwater and release it through an MSD outside the NDZ area.

**8. How would the plan affect other commercial vessels (ex. tankers, barges)**

At this time, most of the provisions of the plan are only applicable to commercial passenger vessels entering state waters. The DEP plans to get information on other vessels from the Coast Guard.

However, if the vessel has an installed head. They would be required to comply with any No Discharge Zones approved by EPA.

**9. Does the plan address air emission from vessels, such as emission from diesel engines?**

The plan would require DEP to report back to the Natural Resources Committee of the Maine Legislature by January 1, 2005 with any recommendations concerning air emissions from vessels. There was not adequate time to consider these issues this past summer.

**10. Does the report address invasive species that may arrive on ships (on the hull, in ballast water, etc.)?**

The report supports recommendations contained in an existing report from the Land & Water Resources Council and the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species. It does not suggest altering those recommendations.

**11. Does the report recommend changes the rules concerning discharges of oil contaminated wastewater?**

The report does not recommend any changes to existing law or rules in this area.